

United States Bankruptcy Court  
District of Puerto Rico

IN RE:

Case No. 08-01860 SEK

RIVERA SERRANO, MARIA DE LOS ANGELES

Chapter 13

Debtor(s)

AMENDED CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☐ directly ☒ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.  
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: \_\_\_\_\_

☒ AMENDED PLAN DATED: 12/15/2008

☐ PRE ☐ POST-CONFIRMATION

Filed by: ☒ Debtor ☐ Trustee ☐ Other

I. PAYMENT PLAN SCHEDULE

\$ 575.00 x 12 = \$ 6,900.00  
\$ 675.00 x 12 = \$ 8,100.00  
\$ 760.00 x 36 = \$ 27,360.00  
\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_  
\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_

TOTAL: \$ 42,360.00

Additional Payments:

\$ \_\_\_\_\_ to be paid as a LUMP SUM  
within \_\_\_\_\_ with proceeds to come from:

☐ Sale of Property identified as follows:

☐ Other:

Periodic Payments to be made other than, and in  
addition to the above:

\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_

PROPOSED BASE: \$ 42,360.00

III. ATTORNEY'S FEES  
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee  
Disclosure Statement: \$ 2,770.00

Signed: \_\_\_\_\_  
Debtor

Joint Debtor

II. DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS OR \$ \_\_\_\_\_

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☒ Trustee pays secured ARREARS:

Cr. ASOC. COND. COND Cr. R-G MORTGAGE Cr. \_\_\_\_\_  
# 157-05B # 1239308 # \_\_\_\_\_  
\$ 14,278.14 \$ 17,192.50 \$ \_\_\_\_\_

2. ☐ Trustee pays IN FULL Secured Claims:

Cr. \_\_\_\_\_ Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
# \_\_\_\_\_ # \_\_\_\_\_ # \_\_\_\_\_  
\$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. \_\_\_\_\_ Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
# \_\_\_\_\_ # \_\_\_\_\_ # \_\_\_\_\_  
\$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:

5. ☐ Other:

6. ☒ Debtor otherwise maintains regular payments directly to:

ASOC. COND. COND R-G MORTGAGE

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.  
11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other: \_\_\_\_\_

☐ Paid 100% / ☐ Other: \_\_\_\_\_

Cr. \_\_\_\_\_ Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
# \_\_\_\_\_ # \_\_\_\_\_ # \_\_\_\_\_  
\$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)  
See Continuation Sheet

Attorney for Debtor Marilyn Valdes Ortega Law Offices

Phone: (787) 758-4400

Debtor(s)

**AMENDED CHAPTER 13 PAYMENT PLAN**

**Continuation Sheet - Page 1 of 1**

**TRUSTEE TO PAY ATTORNEY'S FEES BEFORE ANY SECURED CREDITOR.**

**EQUAL MONTHLY PAYMENT TO ASOC. DE CONDOMINES CONDOMINIO BRISAS DE MONTEFLORES AFTER  
CONFIRMATION \$317.00 MONTHLY TO BE PAID BY THE TRUSTEE, MONTHS (7-50)**

**EQUAL MONTHLY PAYMENT TO RG MORTGAGE AFTER CONFIRMATION OF \$200.00 MONTHS (7-50)**

**RG MORTGAGE: PO BOX 362394 SAN JUAN PR 00936-2394**

**ASOC. DE CONDOMINES CONDOMINIO BRISAS DE MONTEFLORES : C/O PREFERRED HOME SERVICES, INC. PO BOX 4069  
BAYAMON PR 00958-1069**

**PLAN 100% PLUS 6% INT. PER ANNUM**

**TRUSTEE TO RETAIN JURISDICTION OVER COMPLAINT AGAINST COOPARATIVA A/C GUAYNABO.**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

**IN THE MATTER OF:**

**MARIA DE LOS ANGELES RIVERA SERRANO**

**DEBTOR(S)**

**CASE NUMBER: 08-01860 SEK**

**CHAPTER 13 ( ASSET CASE)**

**DEBTOR'S MOTION UNDER SECTION 1329 OF THE BANKRUPTCY CODE**

**THE HONORABLE COURT:**

**COMES NOW**, Debtor (s) through the undersigned attorney and respectfully ALLEGES and PRAYS:

1. That debtor (s) filed and circulated a MODIFIED PLAN to all parties in interest.

2. That the modification is based in that the Debtor (s) wants to amend their plan in order to:

**a. To comply with Creditor's best interest test**  
**[\$1325 (a) (4)].**

3. Debtor (s) amend plan call for twelve (12) payments of \$575.00, twelve (12) payments of \$675.00 and thirty six (36) payments of \$760.00 for a total base of \$42,360.00 dollars with a provision for the payment of arrears to Asoc. Cond. Brisas de Monte Flores and to RG Mortgage and the payment in full plu 6% interest to unsecured creditors. The payments of priorities to Hacienda and Surrender savings to Caribe Federal Credit Union.

4. Debtor (s) are still is interested in continuing with the bankruptcy procedures and proof if the amendment of the plan in order to comply with the disbursement schedules. To pay Secured creditor Toyota Credit as per oral agreement.

**WHEREFORE**, Debtor (s) respectfully request from this Honorable Court to accept this motion and grant debtor (s) the opportunity to modify the confirmed plan according to 11 US 1329 and provide any other remedy it may deem appropriate.

**NOTICE**

"Parties in interest are notified the have twenty (20) days to reject a proposed modification of a plan and request a hearing. If no opposition is filed within the prescribed period of time, the Court will enter and order granting the motion upon the filing of a certificated of service by the movant that adequate notice was given. Should and apposition be timely filed. The Court will schedule the motion for a hearing as a contested matter. Absent good cause, untimely rejections shall be denied".

In San Juan, Puerto Rico, this 16<sup>th</sup>, day of December, 2008.

**I HEREBY CERTIFY:** That I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: Chapter 13 Trustee **José R. Carrión, Esq.**, US Trustee **Monsita Lecaroz Arribas** and to all those who in this case have registered for receipt of notice by electronic mail and I hereby certify that I have mailed by regular mail to all creditors listed on the attached Master Address List.

**RESPECTFULLY SUBMITTED.**

**/s/ Marilyn Valdes Ortega**  
**MARILYN VALDES ORTEGA**  
USDC PR 214711  
P.O. Box 19559  
San Juan, PR 00919-5596  
Tel. (787) 758-4400  
Fax. (787) 763-0144  
E-mail valdeslaw@prtc.net

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

MARIA DE LOS ANGELES RIVERA SERRANO

Debtor(s)

CASE NO. 08-01860 SEK

CHAPTER 13 (ASSET CASE)

CERTIFICATE OF SERVICE

TO THE HONORABLE COURT:

COMES(S) now Debtor(s) represented by the undersigned counsel and respectfully allege(s) and pray(s) as follows:

1. The undersigned attorney hereby certifies that has notified all creditors and persons with interest as per master address list of the Chapter 13, **AMENDED PLAN DATED 12/15/2008.**

**WHEREFORE,** it is respectfully requested from this Honorable Court to take notice of this service.

In San Juan, Puerto Rico, this **16<sup>TH</sup>**, day of December, 2008.

**I HEREBY CERTIFY:** That I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: Chapter 13 Trustee **José R. Carrión, Esq.**, US Trustee **Monsita Lecaroz Arribas** and to all those who in this case have registered for receipt of notice by electronic mail and I hereby certify that I have mailed by regular mail to all creditors listed on the attached Master Address List.

**RESPECTFULLY SUBMITTED**

/S/MARILYN VALDES ORTEGA  
**MARILYN VALDES ORTEGA**  
USDC PR 214711  
P.O.Box 195596  
San Juan, PR 00919-5596  
Tel. (787) 758-4400  
Fax. (787) 763-0144

Label Matrix for local noticing  
0104-3  
Case 08-01860-SXK13  
District of Puerto Rico  
Old San Juan  
Tue Nov 25 09:06:15 AST 2008

ASOC. COND. COND. BRISAS DE M. FLORES  
C/O PREFERRED HOME SERVICES, INC.  
PO BOX 4069  
BAYAMON, PR 00958-1069

DEPARTAMENTO DE HACIENDA  
PO BOX 9024140  
OFICINA 424 B  
SAN JUAN, PR 00902-4140

FEDERAL LITIGATION DEPT OF JUSTICE  
PO BOX 9020192  
SAN JUAN, PR 00902-0192

R-G MORTGAGE  
P.O. BOX 362394  
SAN JUAN, PR 00936-2394

MARILYN VALDES ORTEGA  
VALDES-ORTEGA  
P O BOX 195596  
SAN JUAN, PR 00919-5596

R&G MORTGAGE CORPORATION  
CARDONA JIMENEZ LAW OFFICE  
PO BOX 9023593  
SAN JUAN, PR 00902-3593

ASOC. COND. COND. BRISAS DE MONTE FLORES  
PREFERRED HOME SERVICES, INC.  
PO BOX 4069, BAYAMON  
PR 00958-1069

DEPARTAMENTO DEL TRABAJO  
AVE. MUÑOZ RIVERA 505  
HATO REY, PR 00918-3352

FIRST PREMIER BANK  
PO BOX 5519  
SIOUX FALLS, SD 57117-5519

JOSE RAMON CARRION MORALES  
PO BOX 9023884  
SAN JUAN, PR 00902-3884

MONSITA LECAROS ARRIBAS  
OFFICE OF THE US TRUSTEE (UST)  
OCHOA BUILDING  
500 TANCA STREET SUITE 301  
SAN JUAN, PR 00901-1938

US Bankruptcy Court District of P.R.  
U.S. Post Office and Courthouse Building  
300 Recinto Sur Street, Room 109  
San Juan, PR 00901-1964

COOP A/C DE GUAYNABO  
CARRAZO # 66 BOX-1299  
GUAYNABO, PR 00969-5635

Department of Treasury  
Bankruptcy Section (424-B)  
PO Box 9024140  
San Juan, PR 00902-4140

PR TELEPHONE CO  
PO BOX 70239  
SAN JUAN, PR 00936-8239

MARIA DE LOS ANGELES RIVERA SERRANO  
2005 CALLE SAGRADO CORAZON APT 5 B  
CONDOMINIO BRISAS DEL MONTE  
SAN JUAN, PR 00915-3310

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)R&G MORTGAGE CORPORATION  
CARDONA-JIMENEZ LAW OFFICE  
PO BOX 9023593  
SAN JUAN, PR 00902-3593

(u)RIVERA SERRANO, MARIA DE LOS ANGELES  
584-06-2006

End of Label Matrix	
Mailable recipients	16
Bypassed recipients	2
Total	18